



COUNTY OF LOS ANGELES
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December 5, 2008

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TO: SACHI A. HAMAI
Executive Officer
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Attention: Agenda Preparation

FROM: JOHN F. KRATTLI 
Senior Assistant County Counsel

RE: **Shanay Bridges v. County of Los Angeles, et al**
Los Angeles Superior Court Case No. TC 019 748

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation in the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda for December 16, 2008.

JFK:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Shanay Bridges v. County of Los Angeles, et al., Los Angeles Superior Court Case No. TC 019 748, in the amount of \$1,500,000 plus assumption of the Medi-Cal lien in the amount of \$112,999, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at the Harbor/UCLA Medical Center.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Shanay Bridges v. County of Los Angeles, et al.
CASE NUMBER	TC 019748
COURT	Los Angeles Superior Court, South Central District
DATE FILED	December 30, 2005
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$1,500,000, plus the assumption of the Medi-Cal lien in the amount of \$112,999
ATTORNEY FOR PLAINTIFF	Steven Heimberg, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian
NATURE OF CASE	<p>This is a medical malpractice case brought by Shanay Bridges, for the injuries that she suffered when undergoing a back surgery at Harbor/UCLA Medical Center ("HUMC").</p> <p>On March 15, 2005, Shanay Bridges, a 20-year-old female, was involved in a motor vehicle accident wherein she suffered compression fracture of her T5 and T6 vertebrae. Ms. Bridges was taken to HUMC. At the time of her</p>

admission to HUMC, Ms. Bridges demonstrated no sign or symptoms of neurological deficit.

To decompress her spinal cord, HUMC staff performed a back surgery on April 5, 2005. After the surgery, the patient was left with paralysis and partial loss of sensation below her T4 vertebrae.

Ms. Bridges contends that, prior to the surgery, no one explained the risk of paralysis to her, and as such, she was not fully informed about the risks and complications of the procedure. The plaintiff also contends that, both before and during the back surgery on April 5, 2005, HUMC staff failed to provide her with the necessary care.

Although the County asserts that proper care was provided to Ms. Bridges, considering the risks involved in a jury trial, however, the Department of Health Services agreed to propose a settlement of this case in the amount of \$1,500,000, plus the assumption of the Medi-Cal lien in the amount of \$112,999.

PAID ATTORNEY FEES, TO DATE	\$217,843.52
PAID COSTS, TO DATE	\$96,625.67

Summary Corrective Action Plan



Date of incident/event:	April 5, 2005
Briefly provide a description of the incident/event:	<p>On March 12, 2005, Shanay Bridges, a 20 year old female, was involved in a motor vehicle accident whereby she suffered compression fracture of her T5 and T6 vertebrae. Ms. Bridges was taken to HUMC. At the time of her admission to HUMC, Ms. Bridges demonstrated no sign or symptom of neurological deficit.</p> <p>To decompress her spinal cord, the HUMC staff performed a back surgery on April 5, 2005. After the surgery, the patient was left with paralysis and partial loss of sensation below her T4 vertebrae.</p> <p>Ms. Bridges contends that prior to the surgery, no one explained the risk of paralysis to her, and as such, she was not fully informed about the risks and complications of the procedure.</p>

1. Briefly describe the root cause of the claim/lawsuit:

- Inadequate informed consent.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- Consent forms for spinal surgery were revised and standardized at HUMC. Consent forms were looked at for determination as to whether changes were needed system-wide (all DHS hospitals) to address this issue. Standardized consents for spinal procedures were implemented at all DHS hospitals that perform spinal surgeries.
- Standardized consents are being considered for other procedures at all DHS hospitals.
- Appropriate personnel corrective actions done
- Directive from DHS Interim Chief Medical Officer that attending physicians are responsible for reviewing consent prior to procedure. This was done system-wide (all DHS hospitals).

3. State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

☐ Potentially has County-wide implications.

☐ Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).

☒ Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) <i>K. McKenna</i>	Date: 12/1/08
Signature: (Interim Chief Medical Officer) <i>R. Spang</i>	Date: 12/1/08
Signature: (Interim Director) <i>W. J. Orum</i>	Date: 12/2/08